



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

09/857,043

08/02/2001

Takayuki Doki

TMI-103

7787

24956

7590

01/23/2009

MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C.

1800 DIAGONAL ROAD

SUITE 370

ALEXANDRIA, VA 22314

EXAMINER

WEST, THOMAS C

ART UNIT

PAPER NUMBER

3621

MAIL DATE

DELIVERY MODE

01/23/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	09/857,043	DOKI, TAKAYUKI	
	Examiner	Art Unit	
	THOMAS WEST	3621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 October 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 49,50,69 and 70 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 49,50,69 and 70 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>9-18-08</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Status of Claims

1. This action is in reply to the Agreements/Remarks filed October 9, 2008.
2. Claims 49, 50, 69, 70 are currently pending and have been examined.

Information Disclosure Statement

3. The Information Disclosure Statement filed on September 18, 2008 has been considered. An initialed copy of the Form 1449 is enclosed herewith.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 49, 50, 69, 70 are rejected under U.S.C. 102(e) as being unpatentable over Sehr, US Patent No. 6,999,936.

Art Unit: 3621

Claims 49, 69:

receiving, by a service provision device (POS 313), a request for a specific service (col. 6, lines 13-33) of from an information terminal device (portable terminal 315) over a public network (global communication link 1234);

receiving, by the service provision device (POS 313), a request for an ID number (col. 17, lines 3-15 visitor ID) as a method of payment for the service requested by said information terminal device over the public network (global communication link 1234);

transmitting, by the service provision device (POS 313), over the public network (global communication link 1234) to said information terminal device and a settlement

authentication device (certification center col. 4, lines 20-33), the ID number and a service amount when accepting ID number displayed on the information terminal device as the method of payment for the specific service requested by said information terminal device (column 19, lines 24-33 authentication, id, balance);

presenting the ID number displayed on the information terminal device as the method of payment for the service requested by said information terminal device at a settlement terminal device at a retail location and paying a money amount by a user, said money amount being associated with the service requested by the information terminal device (col. 12, lines 19-27 POS PIN, column 18, lines 62-67, column 19, lines 1-7 balance, col. 28, lines 40-46 settlement authentication);

transmitting, by the settlement terminal device, the ID number and the money amount to the settlement authentication device over the public network;

Art Unit: 3621

determining, by the settlement authentication device, whether the specific service of said plurality of services requested by the information terminal device can be provided to the user by referring to said ID number, the balance information, and the service amount as a settlement result (column 19, lines 24-33 authentication, id, balance); transmitting, by the settlement authentication, the settlement result over the public network to the service provision device (col. 16, lines 55-67 approved/denied, balance) providing the specific service requested by the information terminal device to the user when the settlement result indicates that the balance information exceeded the service amount he settlement is authenticated (col. 28, lines 1-8, col. 28, lines 40-42 query, col. 28, lines 5-8 authenticate, col. 16, lines 55-67 approved/denied, balance) wherein the settlement authentication device (certification center col. 4, lines 20-33), is configured to receive over the public network (global communication link 1234), from a settlement terminal device (POS 313), the ID number (col. 17, lines 3-15 visitor ID) presented by a user and a money amount (column 19, lines 24-33 authentication, id, balance) associated with the service requested and paid by the user at the settlement terminal device, to determine whether the service requested by the information terminal device (portable terminal 315) can be provided to the user by referring to the ID number, and the service amount as a settlement result, and to transmit the settlement result over the public network to the service provision device (col. 28, lines 40-46 settlement authentication, col. 16, lines 55-67 approved/denied, balance);

Art Unit: 3621

Claim 50:

wherein, when determining whether said particular service can be provided, if the current balance is less than the service amount of the particular service to be provided by a predetermined amount of money, said settlement authentication device causes the transmission of warning information to said information terminal device (col. 19, lines 7-10 remaining balance col. 23, lines 43-44 warning).

Claim 70:

wherein, the settlement authentication device causes the transmission of warning information to the information terminal device if the current balance is less than the service amount of the specific service to be provided by a predetermined amount of money (col. 19, lines 7-10 remaining balance col. 23, lines 43-44 warning)..

Response to Arguments

6. Applicant's arguments filed October 9, 2008 have been fully considered but they are not persuasive. Applicant's arguments will be addressed in sequential order as they were set forth in the "Remarks" section. Applicant argues that Sehr does not disclose a service provision device and information terminal, request from a information terminal device, or transmitting over a public network, settlement authentication device. Sehr discloses a service provision device (POS 313, also acting as a settlement terminal device), and an information terminal device (portable terminal 315) and, a request for a specific service (col. 6, lines 13-33), transmitting over a public network (global

Art Unit: 3621

communication link 1234), a settlement authentication device (certification center col. 4, lines 20-33). Applicant argues that Sehr does not disclose an IS number communicated over a network. Sehr discloses a PIN communicated over a global link for authorization/approval, settlement result (col. 13, lines 7-38). Arguments pertaining to claims 69 and 70 are covered above.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas West whose telephone number is 571-270-1236. The examiner can normally be reached on Tuesday and Wednesday 7:30am - 5pm EST.

Art Unit: 3621

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Fischer can be reached on 571-272-6779. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Thomas West
Patent Examiner
Art Unit 3621
January 19, 2009

/ANDREW J. FISCHER/
Supervisory Patent Examiner, Art Unit 3621